

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

SHILLIA LAWS

Plaintiff

v.

Civil Action No.: 2:04-0747

JO ANNE BARNHART

Commissioner of Social Security

Defendant

MEMORANDUM ORDER AND OPINION

The court having received the Proposed Findings and Recommendation of United States Magistrate Judge Mary E. Stanley made pursuant to the provisions of 28 U.S.C.A. § 636(b)(1)(B) and entered on June 27, 2005, and having reviewed the record in this proceeding; and there being no objections filed by either plaintiff or defendant; it is accordingly ORDERED that:

1. The Proposed Findings and Recommendation of the magistrate judge be, and the same hereby are, adopted by the court;

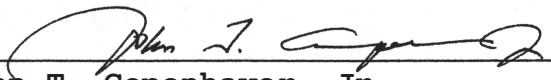
2. The plaintiff's motion for judgment on the pleadings be, and it hereby is, denied;

3. The defendant's motion for judgment on the pleadings be, and it hereby is, granted; and

4. The final decision of the Commissioner be, and the same hereby is, affirmed.

The clerk is directed to forward copies of this written opinion to all counsel of record and the United States Magistrate Judge.

DATED: August 9, 2005

  
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John T. Copenhaver, Jr.  
United States District Judge